

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMPSON DENSMORE ST.
PIERRE,

Defendant.

CR-11-57-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 2, 2020. (Doc. 357.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 1, 2020. (Doc. 353.) The United States accused St. Pierre of violating his conditions of supervised

release 1) by using methamphetamine on three separate occasions; 2) by consuming alcohol; and 3) by committing other crimes. (Doc. 352).

At the revocation hearing, St. Pierre admitted that he had violated the conditions of his supervised release 1) by using methamphetamine on three separate occasions; 2) by consuming alcohol; and 3) by committing other crimes. St. Pierre did not admit or deny alleged violation 4. The government failed to satisfy its burden of proof with respect to alleged violation 4. (Doc. 353.) Judge Johnston found that the violations St. Pierre admitted proved to be serious and warranted revocation, and recommended that St. Pierre receive a custodial sentence of 24 months custody to run concurrent with any state sentence St. Pierre is currently serving and concurrent with the sentences imposed in Causes CR-10-70-GF-BMM, CR-12-03-GF-BMM, and CR-18-36-GF-GMM, with no supervised release to follow. St. Pierre was advised of the 14 day objection period and his right to allocute before the undersigned, and waived those rights. (Doc. 353.)

The violations prove serious and warrant revocation of St. Pierre's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 357) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Thompson Densmore St. Pierre be incarcerated for 24 months, to run concurrent with any state court sentence St. Pierre is serving, and concurrent with the sentences imposed in Causes CR-10-70-GF-BMM, CR-12-03-GF-BMM, and CR-18-36-GF-GMM, with no supervised release to follow.

DATED this 3rd day of September, 2020.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

Brian Morris, Chief District Judge
United States District Court